

THE HON'BLE MR JUSTICE ELIPE DHARMA RAO

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WRIT PETITION NO : 10050 of 2001

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DATED: 05-08-2005

Sundara Siva Ramulu (Freedom Fighter)& 6 others.

..... PETITIONERS

AND

The District Collector/Magistrate
Visakhapatnam, Visakhapatnam District & another.

.....RESPONDENTS

ORDER:

This Writ Petition is filed under Article 226 of the Constitution of India seeking a writ of Mandamus declaring the action of the respondent, in not issuing pattas in favour

of the petitioners in respect of the land assigned to them to an extent of Ac.15.00 each situated in Sy.No.341/1 near Thimmapuram, Thotla Konda Dari, Kapula Uppada Gram Panchayat, Bhimili Mandal, Visakhapatnam District, as illegal and arbitrary.

2. It is stated that the petitioners were recognized as Freedom Fighters and were sanctioned pension from the Government of India, Ministry of Home Affairs. Most of them were getting Freedom Fighters pension since 1984. Petitioners 4 and 7 were getting family pension (spouse) in the event of the death of their husbands. Considering the representations made by the petitioners for allotment of land, the respondent allotted Ac.15.00 of land, which is allocated for assignment to the political suffers and Jawans, to the petitioners. Despite repeated requests made by the petitioners, no pattas were issued by the respondents. Aggrieved thereby, the petitioners filed the present Writ Petition.

3. Heard both sides.

4. I have perused the entire material on record.

5. Though the Writ Petition is pending consideration from the year, 2001, the respondents have not chosen to file their counter affidavit.

6. Considering the facts and circumstances of the case, I deem it appropriate to dispose of the Writ Petition with a direction to the respondents to consider and dispose of the representations made by the petitioners within a period of twelve weeks from the date of receipt of a copy of this order, in accordance with law, after giving an opportunity to the petitioners.

7. Accordingly, the Writ Petition is disposed of.

(DHARMA RAO ELIPE,J)

5th August, 2005.

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